

Sep-11-2007 02:06pm From-COOLEY GODWARD LLP

650 857 0663

T-059 P.002/004 F-474

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CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**E-ming**  
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Attorneys for Defendant  
Kent H. Roberts

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SECURITIES AND EXCHANGE,

Plaintiff,

v.

KENT H. ROBERTS,

Defendant.

Case No. C 07-04580 EDL

**DECLINATION TO PROCEED BEFORE A  
MAGISTRATE JUDGE AND REQUEST FOR  
REASSIGNMENT TO A UNITED STATES  
DISTRICT JUDGE**

**BY FAX**

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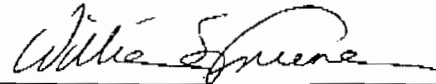
1 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE:

2 The undersigned party hereby declines to consent to the assignment of this case to a  
3 United States Magistrate Judge for trial and disposition and hereby requests the reassignment of  
4 this case to a United States District Judge.

5 Dated: September 11, 2007

Respectfully submitted,

6 COOLEY GODWARD KRONISH LLP  
7 STEPHEN C. NEAL (170085)  
8 WILLIAM S. FREEMAN (82002)  
9 SHANNON M. EAGAN (212830)  
10 EINAT SANDMAN (234776)



11 William S. Freeman (82002)

12 Attorneys for Defendant  
13 Kent H. Roberts  
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**PROOF OF SERVICE**  
**(FRCP 5)**

I am a citizen of the United States and a resident of the State of California. I am employed in Santa Clara County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is Cooley Godward Kronish LLP, Five Palo Alto Square, 3000 El Camino Real, Palo Alto, California 94306-2155. On the date set forth below I served the documents described below in the manner described below:

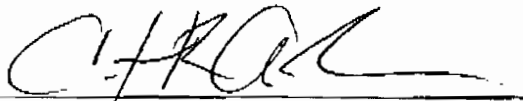
**DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND  
REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

- ☒ (BY U.S. MAIL) I am personally and readily familiar with the business practice of Cooley Godward Kronish LLP for collection and processing of correspondence for mailing with the United States Postal Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Palo Alto, California.
- ☐ (BY OVERNIGHT MAIL) I am personally and readily familiar with the business practice of Cooley Godward Kronish LLP for collection and processing of correspondence for overnight delivery, and I caused such document(s) described herein to be deposited for delivery to a facility regularly maintained by Federal Express for overnight delivery.
- ☒ (BY ELECTRONIC MAIL) I am personally and readily familiar with the business practice of Cooley Godward Kronish LLP for the preparation and processing of documents in portable document format (PDF) for e-mailing, and I caused said documents to be prepared in PDF and then served by electronic mail to the parties listed below.

on the following part(ies) in this action:

Stephen L. Cohen  
 SECURITIES AND EXCHANGE COMMISSION  
 100 F Street, N.E.  
 Washington, D.C. 20549-4030  
[cohens@sec.gov](mailto:cohens@sec.gov)

Executed on September 11, 2007 at Palo Alto, California.

  
 Catherine R. Galan